

REMARKS

Initially, it is acknowledged that the Examiner has not considered the patent applications filed in the Information Disclosure Statement of December 28, 2001. It is noted that our date-stamped mailroom receipt indicates that copies of the applications were indeed supplied with the Information Disclosure Statement. Nevertheless, for the Examiner's convenience, copies of the applications are being submitted again, along with a copy of the mailroom receipt and a 1449 that lists the applications. It is requested that the Examiner initial the 1449 to indicate her consideration of the applications, and return an initialed copy of the 1449 to the applicants with the next communication.

The Examiner has objected to claim 8. The Examiner has rejected claims 7, 9, 17, 24, 31, 38, 45, 52, and 59 under 35 U.S.C. §112, second paragraph. The Examiner rejected claims 11 - 17 and 39 - 45 (these claims are directed to a program) under 35 U.S.C. §101. The Examiner rejected claims 1 - 4, 11 - 14, 18 - 21, 25 - 28, 32 - 35, 39 - 42, 46 - 49 and 53 - 56 under 35 U.S.C. §103(a) as being unpatentable over PERRIN et al. (RUNEQUEST). The Examiner rejected claims 5, 15, 16, 22, 23, 29, 30, 36, 37, 43, 44, 50, 51, 57, and 58 under 35 U.S.C. §103(a) as being unpatentable over PERRIN et al. in view of YOSHIKAWA et al. Claims 6, 8 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over PERRIN et al. in view of YOSHIKAWA et al. in further view of PETERSON et al. Finally, claims 7, 9, 17, 24, 31, 38, 45, 52, and 59 have also been rejected under 35 U.S.C. §103(a)

as being unpatentable over PERRIN et al. in view of YOSHIKAWA et al. in further view of PETERSON et al. Applicants respectfully traverse.

In response to the objection to claim 8, it is noted that claim 1 now recites an axis indicating the sequence of action. Thus, it is believed that proper antecedent basis is provided for the “action sequence axis.” It is requested that the Examiner withdraw the objection to claim 8.

In response to the §112, second paragraph rejections, claims 7, 24, 31, 38, 52, and 59 have been amended. Thus, it is requested that the Examiner withdraw the §112 rejections.

Claims 11 - 17 and 39 - 45 have been canceled in response to the §101 rejections.

The independent claims now each recite displaying characters along an axis indicating the sequence of action, similar to canceled claim 6. Fig. 7 illustrates an example. In Fig. 7, the vertical axis indicates action turns of characters. The actions of the characters start with the character positioned at the top of the vertical axis and sequentially progress to the character at the bottom of the vertical axis.

It is submitted that none of the applied references show such a feature. YOSHIKAWA et al. show in Fig. 6, at 250, monsters displayed in their battle sequence. However, the reference does not show the characters all being placed on an axis to indicate the sequence of action, as the Examiner acknowledges.

In addition, PETERSON et al. do not show placing characters on an axis and displaying them on the screen, contrary to the Examiner's assertions, but instead merely show how to determine when a character can act. ⁴ In fact, PETERSON et al. do not show any displaying on a screen. Moreover, PETERSON et al. do not show any characters in a sequence. The chart the Examiner relies upon only shows generic character speeds, i.e., a character's speed is looked up in the chart to determine in which segment a character may execute a phase. There is no teaching of placing and displaying characters along an axis.

PERRIN et al. do not supply the deficiencies of YOSHIKAWA et al. and PETERSON et al. Thus, it is respectfully requested that the Examiner withdraw the rejections of all of the independent claims.

Dependent claims 2 - 4, 7 - 10, 19 - 21, 24, 26 - 28, 31, 33 - 36, 38, 47 - 49, 52, 54 - 56, and 59 are also believed to recite further patentable subject matter of the invention and therefore are also believed allowable over the prior art. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted for the independent claims, in addition to reasons related to their own recitations.

For example, the features of claims 7, 24, 31, 38, 52, and 59 do not appear to be shown by the references. That is, because the claims relate to scrolling a display on a screen and PETERSON et al. do not discuss a screen, there would be no suggestion to scroll.

Moreover, claim 8 recites features not shown nor suggested by the applied references. Fig. 7 shows an example of claim 8's features. In Fig. 7, the horizontal axis is a time axis. The greater the distance between characters on the horizontal axis, the longer the time lag between the starting of one character's actions and the start of another character's actions. Such a feature is not taught by the applied references.

New claims 60 - 64 are supported, *inter alia*, by original claim 8. Thus, the new claims do not add any prohibited new matter. Moreover, it is believed that the new claims are patentable over the applied references, at least for the same reasons claim 8 is patentable.

Accordingly, applicants respectfully request reconsideration of the outstanding rejections and an indication of the allowability of all of the claims in the present application.

Any amendments to the claims in this amendment that have not been specifically noted to overcome a rejection based upon the prior art should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

P21330.A05

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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